

NVB 7026 (Rev. 6/16)

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

\* \* \* \* \*

**In re** ALVIN A. BRESCIANI

**BK:** 3:22-bk-50266-hlb

**Chapter:** 7

**Adv. No.:** 22-05012-hlb

**Debtor(s).**

**STANDARD DISCOVERY PLAN  
OR**

**REQUEST FOR WAIVER OF  
FILING DISCOVERY PLAN**

HERMAN MENEZES, LLC

**Plaintiff(s),**

**vs.**

ALVIN BRESCIANI

**Defendant(s)**

**1. Discovery Plan**



**Request for waiver of requirement to prepare and file a formal discovery plan.**

The parties certify that all discovery can be completed informally, without the need of court intervention and in conformance of the Standard Discovery Plan, and that the matter will be ready for trial within 120 days, or

**A discovery plan is needed or useful in this case.** Check one:

☐ The parties agree to the standard discovery plan. The first defendant answered or otherwise appeared on \_\_\_\_\_. Discovery shall be completed within \_\_\_\_\_ days, measured from the date the first defendant answered or otherwise appeared. Discovery will close by \_\_\_\_\_.

\_\_\_\_ The parties jointly propose to the court the attached discovery plan and scheduling order. (Use Official Form 35 to the Federal Rules of Civil Procedure.)

\_\_\_\_\_ The parties cannot agree on a discovery plan and scheduling order. The attached sets forth the parties' disagreements and reasons for each party's position. (Use Official Form 35 of the Federal Rules of Civil Procedure.)

**Complete parts 2 - 6.**

**2. Nature of the Case.** Brief description of the nature of the case, i.e., dischargeability, denial of discharge, turnover, contract, etc. Plaintiff brought the instant complaint to object to the dischargeability of the debt owed by the Defendant to the Plaintiff pursuant to 11 U.S.C. § 523.

**3. Jury Trials:** Check one:

✓ A demand for a jury trial has not been made

\_\_\_\_ A demand for a jury trial has been made pursuant to Fed. R. Civ. P. 38(b), and in conformity with LR 9015, but one or more of the parties does not consent to a jury trial pursuant to 28 U.S.C. § 157(e).

\_\_\_\_ It is expressly understood by the undersigned parties they have demanded a jury trial pursuant to Fed. R. Civ. P. 38(b), and in conformity with LR 9015, and have consented to a jury trial pursuant to 28 U.S.C. § 157(e).

An original and two (2) copies of all instructions requested by either party shall be submitted to the clerk for filing on or before \_\_\_\_\_.

An original and two (2) copies of all suggested questions of the parties to be asked of the jury panel by the court on voir dire shall be submitted to the clerk for filing on or before

**4. Additional Pleadings.** Are there any counterclaims, cross claims or amendments to the pleadings expected to be filed?

Yes

☐ No

5. **Settlement Conference**

\_\_\_\_\_ A settlement conference is requested.

If checked, a settlement conference is requested no earlier than \_\_\_\_\_.

☒ Settlement cannot be evaluated prior to additional discovery. The parties may later request a settlement conference.

6. **Trial**

The case should be ready for trial by Wednesday, November 8, 2023 and should take 2 day(s).

7. All parties ☒ consent/ ☐ do not consent to this court entering final judgment.

Dated: 7/19/2023

Dated: 7/19/2023

/s/ Luke Busby  
Signature of Counsel for Plaintiff(s)

/s/ Cliff Young  
Signature of Counsel for Defendant(s)

Type Name, Address and  
Telephone Number of Counsel

Type Name, Address and Telephone  
Number of Counsel

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